

CROSS REFERENCES

National Guard Bureau, assignment of regular or reserve officers of Army or Air Force, see section 10507 of Title 10, Armed Forces.

Reserve components, detail of members of regular and reserve components to assist, see section 12501 of Title 10.

§ 316. Detail of members of Army National Guard for rifle instruction of civilians

The President may detail officers and non-commissioned officers of the Army National Guard to duty as instructors at rifle ranges for the training of civilians in the use of military arms.

(Aug. 10, 1956, ch. 1041, 70A Stat. 605.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---|
| 316 | 32:183. | June 3, 1916, ch. 134, § 113 (3d sentence), 39 Stat. 211. |

The word “civilians” is substituted for the word “citizenry”. The word “capable” is omitted as surplusage.

CROSS REFERENCES

Credit for service as members of Army National Guard or Air National Guard of members of Army National Guard of United States or Air National Guard of United States, see section 12602 of Title 10, Armed Forces.

Inactive duty training, duty (other than full-time duty) under this section as, see section 101 of Title 38, Veterans’ Benefits.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 101, 715 of this title; title 10 sections 101, 701, 1054, 1089, 1333, 12732, 12733; title 28 section 2671; title 38 sections 101, 1965.

§ 317. Command during joint exercises with Federal troops

When any part of the National Guard that is not in Federal service participates in an encampment, maneuver, or other exercise for instruction, together with troops in Federal service, the command of the post, air base, or other place where it is held, and of the troops in Federal service on duty there, remains with the officers in Federal service who command that place and the Federal troops on duty there, without regard to the rank of the officers of the National Guard not in Federal service who are temporarily participating in the exercise.

(Aug. 10, 1956, ch. 1041, 70A Stat. 605.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 317 | 32:72. | June 3, 1916, ch. 134, § 95, 39 Stat. 207. |

The words “not in Federal service” are inserted to show that the revised section applies only to joint exercises involving National Guard troops not in Federal service, since 32:72 was enacted before the establishment of the National Guard of the United States, in 1933. The words “troops in Federal service” are substituted for the words “troops of the United States”. The words “officers in Federal service who command”

are substituted for the words “commander of the United States troops”. The words “post, air base, or other place” are substituted for the words “military post, or reservation, or elsewhere”. The words “that place and the Federal troops on duty there” are substituted for the words “there or elsewhere”. The words “including outdoor target practice” and “field and coast defense instruction” are omitted as surplusage.

[§§ 318 to 321. Repealed. Pub. L. 99-661, div. A, title VI, § 604(f)(2)(A), Nov. 14, 1986, 100 Stat. 3878]

Section 318, acts Aug. 10, 1956, ch. 1041, 70A Stat. 605; Sept. 2, 1958, Pub. L. 85-861, § 33(c)(1), 72 Stat. 1567; Sept. 7, 1962, Pub. L. 87-649, § 8(a), 76 Stat. 495, related to compensation for members of National Guard for disablement during training.

Section 319, act Aug. 10, 1956, ch. 1041, 70A Stat. 605, related to compensation for members of National Guard for disablement during training when not covered by section 318 of this title.

Section 320, act Aug. 10, 1956, ch. 1041, 70A Stat. 606, related to hospitalization ordered by Secretary of Army or Air Force for members of National Guard.

Section 321, acts Aug. 10, 1956, ch. 1041, 70A Stat. 606; Sept. 2, 1958, Pub. L. 85-861, § 2(10), 72 Stat. 1544; Sept. 7, 1962, Pub. L. 87-649, § 8(b), 76 Stat. 495, related to death gratuities for members of National Guard.

EFFECTIVE DATE OF REPEAL

Repeal applicable with respect to persons who, after Nov. 14, 1986, incur or aggravate an injury, illness, or disease or die, see section 604(g) of Pub. L. 99-661, set out as an Effective Date of 1986 Amendment note under section 1074a of Title 10, Armed Forces.

§ 322. Discharge of enlisted members

(a) An enlisted member of the National Guard shall be discharged when—

- (1) he becomes 64 years of age; or
- (2) his Federal recognition is withdrawn.

(b) An enlisted member who is discharged from the National Guard is entitled to a discharge certificate similar in form and classification to the corresponding certificate prescribed for members of the Regular Army or the Regular Air Force, as the case may be.

(c) In time of peace, an enlisted member of the National Guard may be discharged before his enlistment expires, under such regulations as may be prescribed by the Secretary of the Army or the Secretary of the Air Force, as the case may be.

(Aug. 10, 1956, ch. 1041, 70A Stat. 606.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--|---|
| 322(a) | 32:154 (last par., less 1st 26, and last 26, words). | June 3, 1916, ch. 134, § 72; restated June 4, 1920, ch. 227, subch. I, § 40; restated June 15, 1933, ch. 87, § 10, 48 Stat. 157; July 9, 1952, ch. 608, § 806(d), 66 Stat. 507. |
| 322(b). | 32:125 (less last 27 words). | June 3, 1916, ch. 134, § 110 (last par., less 1st 30, and last 25, words); restated Sept. 22, 1922, ch. 423, § 6 (last par., less 1st 30, and last 137, words); restated May 12, 1928, ch. 529 (less 1st 30, and last 25, words), 45 Stat. 500. |
| 322(c). | 32:125 (last 27 words). | |

Subsection (a) is substituted for 32:154 (last par., less 1st 26, and last 26, words) to reflect an opinion of the